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General and complete disarmament: preventing the acquisition by terrorists of radioactive sources

Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Turkey and United Kingdom of Great Britain and Northern Ireland: revised draft resolution

Preventing the acquisition by terrorists of radioactive sources

The General Assembly,

Recalling its resolutions 62/46 of 5 December 2007, 65/74 of 8 December 2010 and 67/51 of 3 December 2012,

Recognizing the essential contribution of radioactive materials and sources to social and economic development, and the benefits drawn from their use for all States,

Recognizing also the determination of the international community to combat terrorism, as evident in relevant General Assembly and Security Council resolutions,

Deeply concerned by the threat of terrorism and the risk that terrorists may acquire, traffic in or use radioactive materials or sources in radiological dispersion or emitting devices,

Deeply concerned also by the potential threat to human health and the environment that would result from the use of such devices by terrorists,

Noting with concern the ongoing occurrence of nuclear and radioactive materials that are outside of regulatory control or being trafficked,

Recalling the importance of international conventions aimed at preventing and suppressing such a risk, in particular the International Convention for the Suppression of Acts of Nuclear Terrorism, adopted on 13 April 2005,[1] and the

[1] United Nations, *Treaty Series*, vol. 2445, No. 44004.

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Convention on the Physical Protection of Nuclear Material, adopted on 26 October 1979,[2] as well as its Amendment, adopted on 8 July 2005,[3]

Noting that actions of the international community to combat the proliferation of weapons of mass destruction and prevent access by non-State actors to weapons of mass destruction and related material, notably Security Council resolutions 1540 (2004) of 28 April 2004 and 1977 (2011) of 20 April 2011, constitute contributions to the protection against terrorism using such materials,

Stressing the importance of the role of the International Atomic Energy Agency in promoting and reinforcing the safety and security of radioactive materials and sources, in particular by establishing technical guidance and supporting States in the improvement of national legal and regulatory infrastructure, and in strengthening coordination and complementarities among various nuclear or radiological security activities,

Noting the organization by the International Atomic Energy Agency of the International Conference on Nuclear Security: Enhancing Global Efforts, held in Vienna from 1 to 5 July 2013, as well as the International Conference on the Safety and Security of Radioactive Sources: Maintaining the Continuous Global Control of Sources throughout their Life Cycle, held in Abu Dhabi from 27 to 31 October 2013,

Stressing the contribution of the International Atomic Energy Agency to preventing illicit trafficking in radioactive materials and facilitating information-sharing on materials out of regulatory control through, inter alia, the Incident and Trafficking Database and its work in the field of nuclear forensics,

Noting the importance of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management[4] with respect to its provisions on the safety of disused sealed sources,

Highlighting the importance of the Code of Conduct on the Safety and Security of Radioactive Sources and of its supplementary Guidance on the Import and Export of Radioactive Sources as valuable instruments for enhancing the safety and security of radioactive sources, noting that 123 States members of the International Atomic Energy Agency have made a political commitment to implement the provisions of the Code and 90 States have made a similar commitment to the supplementary Guidance, while recognizing that they are not legally binding, and highlighting the importance of the International Atomic Energy Agency Revised Action Plan for the Safety and Security of Radioactive Sources and its Nuclear Security Plan for 2014-2017, and of the voluntary contributions of Member States to the International Atomic Energy Agency Nuclear Security Fund,

Noting that a number of States have not yet become parties to the pertinent international instruments,

Encouraging Member States to make voluntary contributions to the International Atomic Energy Agency Nuclear Security Fund,

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[2] Ibid., vol. 1456, No. 24631.

[3] See International Atomic Energy Agency, document GOV/INF/2005/10-GC(49)/INF/6, attachment.

[4] United Nations, *Treaty Series*, vol. 2153, No. 37605.

Taking note of resolutions GC(58)/RES/10 and GC(58)/RES/11, adopted by the General Conference of the International Atomic Energy Agency at its fifty-eighth regular session, which address measures to strengthen international cooperation in nuclear, radiation, transport and waste safety and measures to protect against nuclear and radiological terrorism, and of the International Atomic Energy Agency Nuclear Security Plan for 2014-2017,

Welcoming the fact that Member States have taken multilateral actions to address this issue, as reflected in General Assembly resolution 68/10 of 6 November 2013,

Noting the various international efforts and partnerships to enhance nuclear and radiological security and to implement measures contributing to nuclear material security in relation to the security of radioactive substances, encouraging the efforts to secure those materials, and noting also in this respect recommendations of the International Atomic Energy Agency with regard to safe and secure management of radioactive sources,

Taking note of the findings of the International Conference on the Safety and Security of Radioactive Sources of 2013, which, inter alia, call for further assessment of the merits of developing an international convention on the safety and security of radioactive sources so that Member States can make the best-informed decisions on the matter,

Noting that the Radiological and Nuclear Terrorism Prevention Unit of the International Criminal Police Organization (INTERPOL) works with nations to strengthen capabilities to counter nuclear smuggling and prevent terrorists from acquiring nuclear or radiological materials, and that INTERPOL Operation Fail Safe promotes the sharing of sensitive law-enforcement information on known nuclear smugglers,

Welcoming the ongoing individual and collective efforts of Member States to take into account in their deliberations the dangers posed by the lack or insufficiency of control over radioactive materials and sources, and recognizing the need for States to take more effective measures to strengthen those controls in accordance with their national legal authorities and legislation and consistent with international law,

Mindful of the responsibilities of every Member State, in accordance with international obligations, to maintain effective nuclear safety and security, asserting that responsibility for nuclear security within a State rests entirely with that State, and noting the important contribution of international cooperation in supporting the efforts of States to fulfil their responsibilities,

Mindful also of the urgent need to address, within the United Nations framework and through international cooperation, this rising concern for international security,

1. *Calls upon* Member States to support international efforts to prevent the acquisition and use by terrorists of radioactive materials and sources, and, if necessary, suppress such acts, in accordance with their national legal authorities and legislation and consistent with international law;

2. *Encourages* all Member States that have not yet done so to become party to the International Convention for the Suppression of Acts of Nuclear Terrorism as soon as possible, in accordance with their legal and constitutional processes;

3. *Urges* Member States to take and strengthen national measures, as appropriate, to prevent the acquisition and use by terrorists of radioactive materials and sources, as well as terrorist attacks on nuclear plants and facilities which would result in radioactive releases, and, if necessary, to suppress such acts, in particular by taking effective measures to account for, secure and physically protect such facilities, materials and sources in accordance with their international obligations;

4. *Encourages* Member States to enhance their national capacities with appropriate means of detection and related architecture or systems, including through international cooperation and assistance in conformity with international law and regulations, with a view to detecting and preventing illicit trafficking in radioactive materials and sources;

5. *Invites* Member States, in particular those producing and distributing radioactive sources, to support and endorse the efforts of the International Atomic Energy Agency to enhance the safety and security of radioactive sources, as described in General Conference resolution GC(58)/RES/10 and to enhance the security of radioactive sources as described in the Nuclear Security Plan for 2014-2017;

6. *Urges* all States to work towards following the guidance contained in the International Atomic Energy Agency Code of Conduct on the Safety and Security of Radioactive Sources, including, as appropriate, the Guidance on the Import and Export of Radioactive Sources, noting that the Guidance is supplementary to the Code, and encourages Member States to notify the Director General of the Agency of their intention to do so pursuant to General Conference resolution GC(58)/RES/10;

7. *Encourages* Member States to work with the International Atomic Energy Agency to enhance the non-legally binding international framework for radioactive sources, especially on the safe and secure management of disused radioactive sources, in accordance with relevant resolutions of the Agency, in particular with resolutions GC(58)/RES/10 and GC(58)/RES/11;

8. *Recognizes* the value of information exchange on national approaches to controlling radioactive sources, and takes note of the endorsement by the Board of Governors of the International Atomic Energy Agency of a proposal for a formalized process for a voluntary periodic exchange on information and lessons learned and for the evaluation of progress made by States towards implementing the provisions of the Code of Conduct on the Safety and Security of Radioactive Sources;

9. *Encourages* Member States to participate, on a voluntary basis, in the International Atomic Energy Agency Incident and Trafficking Database programme;

10. *Welcomes* the efforts undertaken by Member States, including through international cooperation under the auspices of the International Atomic Energy Agency, to search for, locate, secure and recover unsecured and/or uncontrolled ("orphan") radioactive sources within their State jurisdiction or territory, and encourages continued efforts in this way;

11. *Encourages* cooperation among and between Member States and through relevant international and, where appropriate, regional organizations aimed at strengthening national capacities in this regard;

12. *Decides* to include in the provisional agenda of its seventy-first session, under the item entitled "General and complete disarmament", the sub-item entitled "Preventing the acquisition by terrorists of radioactive sources".